

REMARKS

Claims 1, 3-12, and 57-63 are pending in this application. Claims 1, 3, 58, 59 and 60 have been amended. No new matter has been added.

The independent claims have been amended substantially as suggested by the Examiner.

The specification has been amended to provide literal antecedent basis for the claim amendments. The subject matter of:

wherein the ribs forming said side surface are separated from a central region of the tread by a groove extending circumferentially of the tire and wherein a portion of the low friction material nearest the tread surface is spaced from the tread surface by a distance less than the depth of the groove extending circumferentially of the tire

as noted by the Examiner, does not constitute new matter. The original Figures 1-3 (especially Figure 1) and page 1, last eight lines, page 2 lines 1-13, page 6 last fifteen lines, page 7 lines 1-7, and page 9 lines 8-17 of the original specification as filed provide the antecedent basis.

Claims Rejections – 35 USC § 112

3. Claim 3 has been rejected under 35 U.S.C. § 112 first paragraph, as failing to comply with the written description requirement.

Claim 3 has been amended to recite a “side surface of the second shoulder.”

5. Claims 1, 3-12 and 57-63 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention.

Claims 1, 3, 58, 59 and 60 have been amended to overcome the rejection.

Claims Rejections – 35 USC § 103

7. Claims 1, 3-4, 6, 58-61 and 63 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 403 (JP 2-197403) in view of Scarpitti et al (U.S. Pat. No. 6,443,199) and Shibata (U.S. Pat. No. 4,152,186).

Claims 1 and 58 have been amended to overcome the rejection. As noted by the Examiner, there is no motivation to locate Japan 403’s low friction material at a radially higher

location so as to be positioned as shown in Figure 1 as well as the amendments to claims 1 and 58.

At least for these reasons, the now pending claims are not obvious in view of Japan 403 and the cited references, and should be allowed.

8. Claim 57 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 403 in view of Scarpitti et al and Shibata as applied above and further in view of Japan 109 (JP 4-159109).

For the reasons stated before with respect to the Japan 403 reference, claim 57 is not obvious in view of the cited references, and should be allowed.

9. Claims 5, 8 and 62 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 403 in view of Scarpitta [sic] et al and Shibata as applied above and further in view of Japan 177 (JP 3-245177).

For the reasons stated before with respect to the Japan 403 reference, claims 5, 8 and 62 are not obvious in view of the cited references, and should be allowed.

10. Claims 5, 7 and 62 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 403 in view of Scarpitta [sic] et al as applied above and further in view of Japan 413 (JP 63-218413).

For the reasons stated before with respect to the Japan 403 reference, claims 5, 7 and 62 are not obvious in view of the cited references, and should be allowed.

11. Claims 5, 9 and 62 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 403 in view of Scarpitti et al and Shibata as applied above and further in view of Costa Pereira et al (U.S. Pat. No. 6,116,313).

For the reasons stated before with respect to the Japan 403 reference, claims 5, 9 and 62 are not obvious in view of the cited references, and should be allowed.

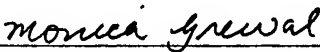
12. Claims 7 and 10-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 403 in view of Scarpitta [sic] et al and Shibata as applied above and further in view of Muramatsu et al (U.S. Pat. No. 5,540,489) and/or Bartkowiak (U.S. Pat. No. 5,069,331).

For the reasons stated before with respect to the Japan 403 reference, claims 7 and 10-12 are not obvious in view of the cited references, and should be allowed.

In view of the above amendment, Applicant submits that the pending application is in condition for allowance, and such action is respectfully solicited. No fees are believed to be due in connection with the filing of this response, however the Commissioner is authorized to debit Deposit Account No. 08-0219 for any required fee necessary to maintain the pendency of this application.

Respectfully submitted,

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